IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

TUESDAY, THE 3RD APRIL 2007 / 13TH CHAITHRA 1930

WP(C).No. 11224 of 2007(J)

PETITIONER:

P.SELVAM,S/O.PERIYASWAMI,D/NO.118,
NETTI MEDU,OPP.KALAI KATHIR,SELAM-2,
TAMIL NADU.

BY ADV. SRI.C.K.SREEJITH

RESPONDENTS:

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1. **THE COMMERCIAL TAX INSPECTOR,**
   COMMERCIAL TAX CHECK POST,WALAYAR.

2. **THE COMMERCIAL TAX OFFICER,COMMERCIAL**
   TAX CHECK POST,WALAYAR.

3. **THE INSPECTING ASST.COMMISSIONER,**
   COMMERCIAL TAX CHECK POST,WALAYAR.

4. **STATE OF KERALA REPRESENTED BY THE**
   COMMISSIONER OF COMMERCIAL TAXES,
   THIRUVANANTHAPURAM.

BY SR.GOVERNMENT PLEADER SRI.MOHAMMED RAFIQ

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 03/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) NO. 11224/2007

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE DRIVING LICENCE.

EXT.P2:- COPY OF THE BILL DT.17.3.07.

EXT.P3:-COP REPRESENTATION DT.20.3.07.

EXT.P4:- COPY OF THE REPRESENTATION DT.20.3.07.

EXT.P5:- COPY OF THE JUDGMENT ION WP(C) NO.9858/07 DT.23.3.07.

EXT.P6:- COPY OF THE REPRESENTATION DT.27.3.07.

EXT.P7:- COPY OF THE FORMAT OF INDEMNITY BOND.

/TRUE COPY/

tss

K.BALAKRISHNAN NAIR, J.

W.P.(C) NO. 11224 OF 2007-J

JUDGMENT

This Court by Ext.P5 judgment ordered to release the vehicle KA-01/AE 9955 along with the consignment of 270 bags of rice, on the petitioner executing an indemnity bond and also conforming to other requirements in accordance with law. The petitioner submits, he is a driver and therefore, he is not in a position to execute the indemnity bond. The owner of the vehicle is willing to do that, it is submitted.

2. Heard the learned Government Pleader for the respondents also. If the owner of the vehicle executes an indemnity bond in terms of Ext.P5 judgment, it shall be treated that the petitioner has complied with the requirement of executing the indemnity bond and the matter shall be dealt with accordingly.

The Writ Petition is disposed of as above.

3rd April, 2007. K.BALAKRISHNAN NAIR, JUDGE.

Nm/